

## **ADMINISTRATIVE PANEL DECISION**

Latham & Watkins LLP v. Esteban Aponte diaz, Latham  
Case No. DCO2025-0093

### **1. The Parties**

The Complainant is Latham & Watkins LLP, United States of America ("U.S."), internally represented.

The Respondent is Esteban Aponte diaz, Latham, Colombia.

### **2. The Domain Name and Registrar**

The disputed domain name <lathamwatkins.com.co> is registered with GoDaddy.com, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 12, 2025. On November 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 12, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted for Privacy, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 13, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on November 15, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on November 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 8, 2025.

The Center appointed Francine Tan as the sole panelist in this matter on December 10, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant states that it is one of the world's top law firms with over 3,500 attorneys in 30 offices located in 14 countries. It is routinely ranked among the best law firms in the world in leading legal publications. Founded in 1934 in Los Angeles, California, the Complainant has since offered professional legal services under the LATHAM & WATKINS trade mark. Through extensive use and advertising, the Complainant has developed a strong reputation in its LATHAM & WATKINS trade mark among clients and within the legal industry as being associated with the first-rate legal services it provides.

The Complainant owns trade mark registrations for LATHAM & WATKINS, including the following U.S. trade mark registrations:

- Registration No. 2413795, registered on December 19, 2000;
- Registration No. 4986824, registered on June 28, 2016;
- Registration No. 4976906, registered on June 14, 2016; and
- Registration No. 4968228, registered on May 31, 2016.

The Complainant owns and operates numerous domain names consisting of or incorporating its LATHAM & WATKINS trade mark. These include:

- <latham.com>, registered on March 14, 1994;
- <lathamandwatkins.cn>, registered on May 20, 2004; and
- <lathamandwatkins.co.kr> registered on November 11, 2016,

The disputed domain name was registered on October 8, 2024. At the time of filing the Complaint, it resolved to a parked webpage displaying pay-per-click ("PPC") links.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends the following:

- The disputed domain name is nearly identical or confusingly similar to the Complainant's LATHAM & WATKINS trade mark. The disputed domain name incorporates the entirety of the Complainant's LATHAM & WATKINS trade mark, "adding only the descriptive phrase '.co', suggesting that it is Complainant's company website". The omission of the ampersand is immaterial as the ampersand cannot be used as a part of a domain name. The addition of the generic Top-Level Domain ".com.co" does not lessen the confusing similarity between the disputed domain name and the Complainant's LATHAM & WATKINS trade mark.

- The Respondent has no rights or legitimate interests in the disputed domain name: (i) The Respondent has never received the Complainant's authorization, license, consent, or permission to use the LATHAM & WATKINS trade mark or to register the disputed domain name. (ii) The LATHAM & WATKINS trade mark is strong and famous and has no other significance other than to identify the Complainant and its services. The Respondent therefore cannot claim any legitimate rights to the disputed domain name. (iii) The Respondent has not made a bona fide offering of goods and services using the disputed domain name. The disputed domain name resolved to a parked webpage displaying PPC links for legal services which compete with the Complainant's. Such use does not constitute bona fide use. The fact that the disputed domain name does not currently resolve to any active webpage further indicates that the Respondent is not using it for any bona fide offering of goods or services. (iv) There is no evidence that the Respondent is commonly known by the disputed domain name, and the Respondent's registration details do not reveal any rights or legitimate interest in the disputed domain name.
- The disputed domain name was registered and is being used in bad faith. The Complainant's use of the LATHAM & WATKINS trade mark greatly predates the Respondent's registration of the disputed domain name. Given the Complainant's longstanding, globally known trade mark and the Respondent's use of the identical mark, there can be no dispute that the Respondent was well aware of the LATHAM & WATKINS trade mark and intended to violate the Complainant's rights by registering the confusingly similar disputed domain name which incorporates the entirety of the Complainant's trade mark. The Respondent's use of the disputed domain name for PPC links which advertise competing legal services is evidence of bad faith registration. The Respondent's use of a proxy service and provision of falsified information to register the disputed domain name are further evidence of bad faith. The Respondent listed "Latham" as his organization when registering the disputed domain name. The Complainant has no offices in Bogota, Colombia and neither does it have any employee by the Respondent's name.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the LATHAM & WATKINS mark is reproduced within the disputed domain name. The applicable Top-Level Domain in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.11.

The Panel finds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The Respondent was not licensed or authorized by the Complainant to use the latter’s LATHAM & WATKINS trade mark or to register a domain name incorporating the trade mark. The disputed domain name resolved to a parked webpage displaying PPC links which advertised competing legal services. There is no evidence that the Respondent is using or preparing to use the disputed domain name for any legitimate noncommercial or fair use, without intent for commercial gain.

The Complainant’s LATHAM & WATKINS trade mark is highly distinctive, has a strong reputation globally, and is associated exclusively with the Complainant. It is not conceivable that the Respondent would be able to demonstrate rights or legitimate interests in the disputed domain name which contains the dominant and distinctive portions of the LATHAM & WATKINS trade mark, i.e., not considering the ampersand.

The Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Given the length of time of registration and use of the Complainant’s LATHAM & WATKINS mark, and its distinctiveness and reputation, the Panel is persuaded that the Respondent knew of the Complainant and its LATHAM & WATKINS mark at the time he registered the disputed domain name and specifically targeted it for commercial gain through the PPC links. This is, in the Panel’s view, a typical case of cybersquatting and therefore finds that the disputed domain name has been registered and used in bad faith. The Panel’s decision is in line with the principles set forth in [WIPO Overview 3.0](#), section 3.1.4, which states:

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

The clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent’s choice of the disputed domain name, and the false registration information are all indicia suggesting that the Respondent targeted the Complainant. [WIPO Overview 3.0](#), section 3.2.1.

The Panel therefore finds that the Complainant has established the third element of the Policy.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <lathamwatkins.com.co> be transferred to the Complainant.

*/Francine Tan/*

**Francine Tan**

Sole Panelist

Date: December 17, 2025